

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America

v.

Nicholean Bernard Hicklen Jr.

Date of Previous Judgment: 3/30/01
(Use Date of Last Amended Judgment if Applicable)

)

)

)

)

)

)

Case No: 3:99CR187-1

USM No: 15152-058

Tanzania C. Cannon-Eckerle & Claire J. Rauscher

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level:	<u>29</u>	Amended Offense Level:	<u>27</u>
Criminal History Category:	<u>IV</u>	Criminal History Category:	<u>IV</u>
Previous Guideline Range:	<u>121</u> to <u>151</u> months	Amended Guideline Range:	<u>120</u> to <u>125</u> months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain):

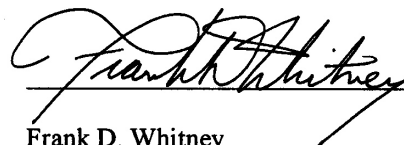
III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 3/30/01 shall remain in effect.

IT IS SO ORDERED.

Order Date: August 11, 2008

Effective Date: _____
(if different from order date)


Frank D. Whitney

United States District Judge

